

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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| In re: | : | Chapter 11 |
| | : | |
| PURDUE PHARMA L.P., <i>et al.</i> , | : | Case No. 19-23649 (RDD) |
| | : | |
| Debtors. ¹ | : | (Jointly Administered) |
| | : | |

**SUPPLEMENTAL DECLARATION OF EDWARD DRUMMOND IN SUPPORT
OF APPLICATION OF THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS FOR ENTRY OF AN ORDER AUTHORIZING RETENTION
AND EMPLOYMENT OF BEDELL CRISTIN JERSEY PARTNERSHIP
AS SPECIAL FOREIGN COUNSEL, *NUNC PRO TUNC* TO FEBRUARY 27, 2020**

I, Edward Drummond, hereby declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury as follows:

1. I am a partner of the law firm of Bedell Cristin Jersey Partnership,² which maintains offices for the practice of law at 26 New Street, Saint Helier, Jersey E2 3RA.
2. I am familiar with the matters set forth herein and make this supplemental declaration (the “First Supplemental Declaration”)³ in connection with the *Application of the*

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

² As set forth herein, the Committee requires the services of Bedell Cristin Guernsey Partnership, a partnership affiliated with Bedell Cristin Jersey Partnership which maintains offices for the practice of law at La Paiderie House, La Plaiderie, St Peter Port, Guernsey GY1 1RX. Such partnerships are collectively referred to herein as “Bedell Cristin.” For the avoidance of doubt, Bedell Cristin’s retention by the Committee shall be expanded to include Bedell Cristin Guernsey Partnership in addition to Bedell Cristin Jersey Partnership.

³ Capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Application.

Official Committee of Unsecured Creditors for Entry of an Order Authorizing Retention and Employment of Bedell Cristin Jersey Partnership as Special Foreign Counsel to the Official Committee of Unsecured Creditors Nunc Pro Tunc to February 27, 2020 (the “Application”) and my initial declaration attached thereto as Exhibit B.⁴

3. As set forth in the Application, to the extent the Committee requires Bedell Cristin to provide additional services that differ materially from those described in the Application, Bedell Cristin committed to file a supplemental declaration in accordance with Bankruptcy Rule 2014 disclosing both the nature of its expanded employment and the reasons supporting its additional duties and responsibilities. *See* Application ¶ 20. Accordingly, I submit this First Supplemental Declaration to provide the additional disclosures set forth herein.

Scope of Bedell’s Services

4. As set forth in the Application, the Committee is investigating potential claims and causes of action belonging to, and for the benefit of, the Debtors’ estates, including potential actions against members of the Sackler family (the Debtors’ ultimate equity holders). These efforts have involved, among other things, identifying the amount, location and availability for recovery of assets owned directly or indirectly by members of the Sackler family. In connection with the foregoing, this Court has issued multiple orders authorizing Rule 2004 discovery into such assets, including Rule 2004 discovery authorizing examinations of certain financial institutions. *See, e.g., Order Pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure Authorizing Examinations of Certain Financial Institutions* [ECF No. 1143] (the “Rule 2004 Order”). As set forth in the Application, the Committee sought to retain Bedell Cristin Jersey Partnership to provide certain foreign law services related to issues arising under the law of the

⁴ The Court granted the Application on June 29, 2020 [ECF No. 1308].

Bailiwick of Jersey in connection with the Committee's investigation, including advising on potential tolling agreements with respect to the Sacklers and their Jersey-based trusts and related efforts to collect against assets held in such trusts. *See* Application ¶ 18.

5. Recently, in the course of its investigation, the Committee encountered additional issues arising under other foreign law, such as with regard to compliance with the Rule 2004 Order issued by this Court, including under the law of the Bailiwick of Guernsey. Examination of assets held in Guernsey-based trusts and/or accounts is critical to the Committee's investigation and evaluation of the Debtors' proposed settlement framework, including the value of the claims against the Sacklers that such framework proposes to release. *See Notice of Filing of Term Sheet with Ad Hoc Committee*, dated as of October 8, 2020 [ECF No. 257].

6. Accordingly, the Committee requires Bedell Cristin's assistance with respect to certain issues arising under Guernsey law, including but not limited to domesticating Rule 2004 orders issued by this Court in the Guernsey courts so that discovery sought by the Committee and other creditor constituencies, including the Ad Hoc Group of Non-Consenting States, may be effectuated. Bedell Cristin will continue to render services for the benefit of the Committee under Jersey law in accordance with the Application and the Retention Order.

Bedell Cristin's Qualifications

7. As set forth in the Application, the Committee selected Bedell Cristin to serve as special foreign counsel due to its expertise in BVI, Cayman Islands, Guernsey and Jersey law and its regular work alongside preeminent international law firms on a broad range of matters. Application ¶ 16. Bedell Cristin is particularly well suited to provide the services requested because of its substantial expertise in commercial litigation, fraud, asset tracing and cross-border

insolvency. *Id.* Accordingly, I believe Bedell Cristin is well-positioned to provide the foregoing additional services to the Committee during the Chapter 11 Cases.

Bedell Cristin's Rates and Billing Practices

8. Bedell Cristin will continue to apply for compensation for professional services rendered in connection with the Chapter 11 Cases subject to the approval of this Court and in compliance with applicable provisions of the Bankruptcy Code, Bankruptcy Rules, Local Bankruptcy Rules, and Orders of the Court entered in the Chapter 11 Cases concerning compensation of professionals, on an hourly basis, plus reimbursement of actual, necessary expenses and other charges incurred by Bedell Cristin. The current rates of partners, counsel, and associates in Bedell Cristin's Guernsey office are as follows:

| <u>Professional</u> | <u>Rates</u> |
|--------------------------------|-----------------------|
| Partners | \$740 per hour |
| Counsel | \$550 per hour |
| Associates | \$430 to 450 per hour |
| Paralegals/Support Specialists | \$330 per hour |

9. These rates are subject to change in accordance with Bedell Cristin's billing practices and procedures. Bedell Cristin will file a supplemental declaration with this Court and give not less than ten (10) business days' notice to the Debtors, the U.S. Trustee, and the Committee prior to implementing any increases in the rates set forth herein in the Chapter 11 Cases.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 6, 2020

Bedell Cristin Jersey Partnership

/s/ Edward Drummond

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